



**Office of the New York State  
Attorney General**

**Letitia James  
Attorney General**

Telephone No. (716) 853-8449

July 11, 2025

Hon. Meredith A. Vacca  
United States District Judge  
Kenneth B. Keating Federal Building  
100 State Street  
Rochester, NY 14614

**RE: Wawrzyniec v. Martuscello, et al., 25-CV-282 (W.D.N.Y.)**

Dear Judge Vacca:

In response to the Court's text order dated July 11, 2025 (ECF No. 11), please be advised that Defendants Martuscello and Ayotte<sup>1</sup> intend to file a motion to dismiss the amended complaint (ECF No. 9). Unless otherwise ordered by the Court, Defendants' motion will be filed on or before July 22, 2025, in accordance with Rule 15(a)(3) of the Federal Rules of Civil Procedure.

Very truly yours,

/s/ Joel J. Terragnoli

JOEL J. TERRAGNOLI  
Assistant Attorney General

JJT

CC: Matthew D. Carlson, Esq. (counsel for Plaintiff, via CM/ECF)

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<sup>1</sup> Plaintiff has removed the New York State Department of Corrections and Community Supervision ("DOCCS") from the caption and the "parties" section of the amended complaint (ECF No. 9, ¶¶ 3-6) and does not plead any specific factual allegations as against DOCCS. Therefore, Plaintiff has presumably discontinued his claims against DOCCS.